

## UNITED STATES BANKRUPTCY COURT Eastern District of California

Robert T Matsui United States Courthouse 501 I Street, Suite 3-200 Sacramento, CA 95814

> (916) 930-4400 www.caeb.uscourts.gov M-F 9:00 AM - 4:00 PM

### **FILED**

8/27/09

CLERK, U.S. BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

auto

# Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 8/26/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed above. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Case Number:

09-38208 - A - 7

Debtor Name(s), Last four digits of Social Security or Individual Taxpayer ID (ITIN) No(s)./Complete EIN, and Address(es):

Vera Ann Kemp

7581 El Terraza Dr Sacramento, CA 95828

Debtor's Attorney:

Ryan D. Griffin

980 9th St 16th FI

Sacramento, CA 95814

Telephone Number: 916-418-1032

Frustee: Thomas A. Aceituno

PO Box 189 Folsom, CA 95763

**Telephone Number:** 916-985-6486

#### **MEETING OF CREDITORS**

Location: Robert T Matsui United States Courthouse, 501 I Street, Room 7-A, 7th Floor,

Sacramento, CA

Date & Time: 10/5/09 02:00 PM

The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. See Explanations and Important Notice to Individual Debtors on reverse side.

Presumption of Abuse under 11 U.S.C. § 707(b) - See "Presumption of Abuse" on the reverse side.

The presumption of abuse does not arise.

**Deadlines** – Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor *or* to Determine Dischargeability of Certain Debts: 12/4/09

Deadline to Object to Exemptions: Thirty (30) days after the conclusion of the meeting of creditors.

#### **Creditors May Not Take Certain Actions**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

It is unnecessary to file claims at this time because it does not appear from the schedules that enough assets are available for payment of a dividend to creditors. If sufficient assets become available, you will be sent a Notice to File Claims.

#### Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "It Is Unnecessary to File a Proof of Claim at This Time" on the reverse side.

See Reverse Side For Important Explanations.

Dated: 8/27/09

For the Court, Richard G. Heltzel, Clerk

#### **EXPLANATIONS**

Filing of Chapter 7 Bankruptcy Case

A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine vour rights in this case.

Take Certain Actions

Creditors Generally May Not Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; starting or continuing lawsuits or foreclosures; repossessing the debtor's property; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.

Presumption of Abuse

If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Important Notice to Individual Debtors: The United States Trustee requires all debtors who are individuals to provide government issued photo identification and proof of social security number to the trustee at the meeting of creditors. Failure to appear at the meeting of creditors, or failure to provide proper identification and proof of social security information, may result in a motion to dismiss your case.

It is Unnecessary to File a Proof of Claim at This Time There does not appear to be any property available to the trustee to pay creditors. It is therefore unnecessary to file a proof of claim at this time. If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.

Discharge of Debts

The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a) (2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts' listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that deadline.

**Exempt Property** 

The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.

Bankruptcy Clerk's Office

Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.

Creditor with a Foreign Address

Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.

--- Refer to Other Side For Important Deadlines and Notices ---

### CERTIFICATE OF NOTICE

Page 1 of 1

Date Rovd: Aug 27, 2009

TOTALS: 0, \* 1

User: admin Form ID: b9a Case: 09-38208 Total Noticed: 19 The following entities were noticed by first class mail on Aug 29, 2009.

db +Vera Ann Kemp, 7581 El Terraza Dr, Sacramento, CA 95828-4704

aty +Ryan D. Griffin, 980 9th St 16th Fl, Sacramento, CA 95814-273 +Ryan D. Griffin, 980 9th St 16th Fl, Sacramento, CA 95814-2736
+Thomas A. Aceituno, PO Box 189, Folsom, CA 95763-0189
Capital One, PO Box 60599, City Of Industry CA 91716-0599
Capitol One, PO BOX 60599, City Of Industry CA 91716-0599
+Citi, P O Box 44195, Jacksonville FL 32231-4195
Countrywide Bank, P O Box 5170, Simi Valley CA 93062-5170
Direct Merchants Bank, P O Box 60136, Carol Stream IL 60197-5250
I C System Inc, P O Box 64887, Saint Paul MN 55164-0887
+Wells Fargo Financial, 4143 121st Street, Urbandale IA 50323-2310
Wells Fargo Financial, PO BOX 5943, Sioux Falls SD 57117-5943 Sacramento, CA 95814-2736 16655637 16655639 16655641 16655643 16655644 16655648 16655651 16655652 The following entities were noticed by electronic transmission on Aug 27, 2009. tr +EDI: QTAACEITUNO.COM Aug 27 2009 19:28:00 Thomas A. Aceituno, PO Box 189, Folsom, CA 95763-0189 Folsom, CA 95763-0189
EDI: CALTAX.COM Aug 27 2009 19:28:00
Sacramento, CA 95812-2952
EDI: CHASE.COM Aug 27 2009 19:28:00
+EDI: CITICORP.COM Aug 27 2009 19:28:00
EDI: CIAC.COM Aug 27 2009 19:28:00
EDI: WFNNB.COM Aug 27 2009 19:28:00 Franchise Tax Board. PO Box 2952, sma Chase, P O Box 15548, Wilmington DE 19886-5548 O Citi, P O Box 44195, Jacksonville FL 32231-4195 Citi Financial, P O Box 6931, The Lakes NV 88901-6931 Dress Barn, PO BOX 659704, San Antonio TX 78265-9704 16655640 16655641 16655645 First Premier Bank, +EDI: AMINFOFP.COM Aug 27 2009 19:28:00 PO BOX 5524, 16655646 Sioux Falls SD 57117-5524 EDI: FORD.COM Aug 27 2009 19:28:00 16655647 Ford Credit, National Bankruptcy Service Center, P O Box 537901, Livonia MI 48153-7901 EDI: RMSC.COM Aug 27 2009 19:28:00 J Orlando FL 32896-0001 16655649 JC Penney GE Money Bank, P O Box 960090, EDI: CBSKOHLS.COM Aug 27 2009 19:28:00 +EDI: WFFC.COM Aug 27 2009 19:28:00 Urbandale IA 50323-2310 16655650 PO BOX 30510, Los Angeles CA 90030-0510 Kohls, Wells Fargo Financial, 4143 121st Street, 16655651 EDI: WFFC.COM Aug 27 2009 19:28:00 Sioux Falls SD 57117-5943 16655652 Wells Fargo Financial. PO BOX 5943. TOTAL: 12 \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\* Capital One, P O Box 60599, City Of Industry CA 91716-0599 16655638\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0972-2

Date: Aug 29, 2009

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Joseph Spections